

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

United States of America)	
)	Cr. No. 7:08-461-HMH
vs.)	
)	OPINION & ORDER
Donovan Isaiah Jones,)	
)	
Movant.)	

This matter is before the court on Donovan Isaiah Jones’ (“Jones”) pro se motion for relief from judgment pursuant to Rule 60(b) of the Federal Rules of Civil Procedure. On November 16, 2010, the court summarily dismissed Jones’ 28 U.S.C. § 2255 motion. For the reasons set forth herein, the court denies Jones’ motion for relief from judgment.

Rule 60(b) “invest[s] federal courts with the power in certain restricted circumstances to vacate judgments whenever such action is appropriate to accomplish justice.” Compton v. Alton S.S. Co., 608 F.2d 96, 101-02 (4th Cir. 1979) (internal quotation marks omitted). “The remedy provided by the Rule, however, is extraordinary and is only to be invoked upon a showing of exceptional circumstances.” Id. at 102. Rule 60(b) “does not authorize a motion merely for reconsideration of a legal issue.” United States v. Williams, 674 F.2d 310, 312 (4th Cir. 1982). “Where the motion is nothing more than a request that the district court change its mind . . . it is not authorized by Rule 60(b).” Id. at 313. In his motion, Jones reasserts the arguments put forth in his original § 2255 motion. Therefore, the court finds that Jones has made no showing of exceptional circumstances or defects in the court’s decision. Based on the foregoing, Jones’ motion is denied.

Therefore, it is

ORDERED that Jones' motion for relief from judgment, docket number 62, is denied.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
February 7, 2011

NOTICE OF RIGHT TO APPEAL

The Petitioner is hereby notified that he has the right to appeal this order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.